



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

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1463 CHESTNUT GROVE ROAD
DOVER, DELAWARE 19904

STATE FIRE PREVENTION COMMISSION

Monthly Meeting

October 18, 2016

MEMBERS PRESENT

David J. Roberts, Chairman
Alan Robinson, Jr., Vice Chairman
Tom DiCristofaro
Ron Marvel
Lynn Truitt (Skype)
Marvin C. Sharp
Joseph M. Zeroles

ALSO PRESENT

Patricia Davis, Deputy Attorney General
Patrick Matthews M.D., BLS Medical Director
Sherry Lambertson, Executive Specialist
David J. Truax, Investigator/Compliance Officer
Grover P. Ingle, State Fire Marshal
Robert P. Newnam, Director, State Fire School

GUESTS

Warren Jones, DVFA
Anthony Spiezio, DTI
W. Mike McMichael, DSEMSA
Lou Amabili, Hockessin Fire Co.
Anthony R. Guzzo, Hockessin Fire Co.
Alan Post, American Legion - Smyrna
Jenn Knox, Cheswold Fire Company
Ted Walius, DVFA
Elmer Steele, DVFA
Sharron Cirillo, SC Associates

GUESTS cont.

R. Thomas Wagner, State Auditor

CALL TO ORDER

Chairman Roberts called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Chairman Roberts suggested a moment of silence for the fallen Wilmington firefighters. He requested prayers for the family members, Fire Company and for the injured firefighters that remain in the hospital at this time.

APPROVAL OF SEPTEMBER 20, 2016 COMMISSION MEETING MINUTES

It was moved by Commissioner DiCristofaro, and seconded by Commissioner Zeroles that the minutes of the September 20, 2016 Commission meeting be approved. Motion carried by unanimous vote.

REPORT OF THE STATE FIRE MARSHAL

INFORMATIONAL ITEMS

Personnel Items

Fire Marshal Ingle received a letter of resignation from James Sager as a Deputy Fire Marshal I in New Castle County effective immediately. The Office of Management and Budget has given permission to interview and hire from a current list provided for another position.

Fire Marshal Ingle reported that interviews took place on September 25th, 29th and October 7th for the New Castle County Deputy vacancy. Thirteen interviews were conducted and the background process has begun.

The vacant Kent County Deputy Fire Marshal I position was posted from October 4th to 11th. There are currently 15 qualified applicants and another 10 being reviewed.

Personnel Items cont.

John Krzysiak, Deputy Fire Marshal III and Office Manager Susan Givens have returned to work from extended medical leave.

The Fire Inspector (Day Care) position remains vacant. Fire Marshal Ingle is working with the Office of Management and Budget as well as with Department of Services for Children, Youth and their Families (DSCYF) before making a final decision on filling the position. This is a special funded position and needs to be reviewed prior to posting for hire. The office is not behind on daycare inspections at this time.

The office has received a list of applicants for the vacant Executive Secretary position. Interviews will be conducted on October 19th. The position was posted in house and may create another vacancy upon hire.

Service Awards were presented to John Rudd, Fire Protection Specialist III for 20 years of service and Dale Magee, Deputy Fire Marshal III for 25 years of service. Fire Marshal Ingle stated that they are both an asset to the agency. He appreciates the efforts of these employees. It was moved by Commissioner Dicristofaro, seconded by Vice Chairman Robinson to recognize Dale Magee and John Rudd for their years of service. Motion carried by a unanimous vote.

It was moved by Commissioner Dicristofaro, seconded by Vice Chairman Robinson to authorize Fire Marshal Ingle to advertise, interview and hire for the vacant positions within his agency. Motion carried by a unanimous vote.

Fire Fatalities – Wilmington Fire Department

Fire Marshal Ingle reported on two fire fatalities within the City of Wilmington. There were four other injuries and two remain hospitalized. There has been an arrest in the case, but no other information can come forward until an investigation is completed. It is an ongoing complex investigation that involves many agencies. Commissioner Sharp thanked Fire Marshal Ingle and his staff for doing an outstanding job on the Wilmington investigation. Chairman Roberts agreed and appreciated the quick response.

Fire Incidents

Fire Marshal Ingle reported on a fire fatality in the Indian River Fire Company district. They responded to a structural alarm in Long Neck. Upon arrival there was heavy fire involvement of a mobile home. A deceased victim was found in the debris after the home was extinguished. It remains under active investigation as a fire fatality.

There are 7 fire fatalities in 2016. Four without working smoke alarms and three with working smoke alarms.

3 Storm related incidents were reported in Laurel, Millsboro and Lewes. Lightning strikes that did sizable damage at three different structures.

The Newark district suffered a large loss fire from discarded smoking materials. The home owner was treated for burn injuries and transported to Crozier Burn Center.

Hockessin Fire Company responded to a large loss structure fire in their district. This incident remains under investigation.

Collins Beach, the old wooden water tower was destroyed by fire. It is currently under investigation as an incendiary fire.

There was a Sprinkler Save on October 5th from an unattended cooking fire in the Carlisle Fire Company district. The sprinklers were able to contain the fire to the area.

Regional State Fire Marshal's Meeting

Fire Marshal Ingle attended the regional State Fire Marshal's meeting on October 13th in Maryland. It was a worthwhile meeting with a lot of information exchange.

FY' 18 Public Budget Hearing

The FY' 18 Budget was submitted as required. Fire Marshal Ingle has requested to maintain the same base line budget based upon the target meetings.

DTI Update

Fire Marshal Ingle reported on a communication shut down that included telephone and computer access shutting business down for the Office of State Fire Marshal, Fire School and Fire Prevention Commission from 1:30 PM until 6:30 AM the following morning. Lessons were learned during this catastrophic shut down.

DFIRS Incidents Received

| TOTAL STATE PARTICIPATION IN COMPLIANCE |
|---|
| 89 % |

DELINQUENT DEPARTMENTS

| New Castle County | |
|-------------------|-------------------------|
| Holloway Terrace | July - August |
| Odessa | June – August |
| Belvedere | January, March - August |
| Kent County | |
| Clayton | March – August |
| Little Creek | May – August |
| Magnolia | May - August |
| Sussex County | |
| Delmar | August |

OVERDUE REPORTS BY DAYS

| 30 Days | 60 Days | 90 Days | 90+ Days |
|---------|---------|---------|----------|
| 1 | 1 | 1 | 4 |

Source: DFIRS Incidents received as of 10/07/16.

REPORT OF THE STATE FIRE SCHOOL DIRECTOR

Director

- Site Survey and Variance request for Kent County. This is to permit the installation of the fire simulator trailers.
- Base Budget Review on September 23rd went well. If budget cuts are required it will come from the equipment funds.

Director cont.

- General Operating and Capital Budget requests for FY18 was submitted. A hard copy provided to each Commissioner.
 - A Budget Public Hearing has been scheduled for November 22nd in the Senate Chambers.
- Student Injury – Crew Leader – Passed out during evolution – transported, released next day.
- Senior Instructor Gajdos is coordinating the Delaware Weekend at NFA – 32 (42) DE, 48 (27) WV – Nov 4-6, social Friday w/orientation
- New Castle Expansion project status – Continuing to wait approval before building can begin.
- Basic Firefighting Skills – Haz. Mat. Awareness Certification – 93 tested 81 passed 87%
- Casual/Seasonal Employees pay increase of 1.5%
 - Instructor's hourly salary will go from \$25.217155 to \$25.595412.
 - Instructor Aide's hourly salary will go from \$13.790172 to \$13.997025
- Fire Company new member survey – 18 responses – using the information received
 - Projected members in 2015 Statewide – 586 – remaining in 2016 – 336, 57%
 - Projected members for 2016 is 386 – still with the company – 320, 83%

Staff Activities

- DSFS Engine events – various
- National Fire Academy / NFFF – Wilson
- UAV – Pilot and Ground School training and certification – Brennan, Dempsey, Ingram, Wilson
- WFD Memorial Service – DSFS Staff
- Youth Services Librarians for New Castle County on October 3rd – O'Malley
- Dollar Dinner at the Western Sussex Boys & Girls Club on October 12th – O'Malley

Programs/Courses

Figures in red are reference to last year's comparison of class attendance.

- Current Month
 - Basic Firefighting Skills – 112 (132)
 - Hazardous Materials Response Skills – 73 (75)
 - Driver Operator (Blended Learning – Pilot program) 19 students (14)
 - Water Rescue I – 19 students
 - Crew Leader – 41 students
 - Vehicle Rescue – 22 students (12)
 - Structural Firefighting Skills – 90 students

- Advanced Vehicle Rescue – 10 students
 - Rope Rescue – 13 students (16)
 - Brigade I – 17 students (24)
 - Hazardous Materials Technician 24 hr. – 15 students
 - Fire Brigade II – 4 students, cancelled
 - EVO Sussex – 15 students
 - Fire Brigade III – 15 students
 - EMR – weekday – 13 students (24)
 - Fire Brigade III – 3 students (12)
 - Healthcare – 12 students
 - Ind. Confined Space Rescue Refresher – *cancelled – second year*
- Divisions Usage
 - New Castle Division - 14 scheduled (12)
 - Kent Division - 11 scheduled (13)
 - Sussex Division – 5 scheduled (4)

EMS

- Current Month
 - CEU programs – 8 programs (12)
 - EMR – 6 students
 - EMT Refresher – 3 New Castle, 7 Kent, 9 Sussex

Public Education and Injury Prevention - Activity Report

- Current Month
 - Fire Safety Programs – 9 scheduled – (12)
 - DSFS Tours – 12 scheduled (12)
 - Fire Safety Displays - 9 scheduled (18)
 - Injury Prevention Programs – 36 scheduled (31)

Maintenance – Building and Grounds

- Sliding doors – Classrooms 8 and 10 to be replaced with solid steel doors, block/brick.
- Storage garage in Sussex in the permit phase.

Financial

- Past Due Billings
 - 30 days – 1795.00
 - 90 days – 100.00
 - 120 days – 410.00
 - 180 days – 300.00
- 20678 Tuition Fund – 896,723.00
- Accounts receivable – 32,000.00
- Revenue Comparison
 - Tuition – 2016 – 62,666.50, 2015 – 48,108.04
- Special Funds Summary – The Special Funds Summary report was submitted to the Commissioners for review.
- Expenditure Report – No report for July is provided to the State.

Staff and Office Staff Meeting Minutes

Staff and office staff meeting minutes were submitted for Commission review.

It was moved by Commissioner Marvel, seconded by Commissioner Sharp to deviate from the regular order of business to a discussion with Auditor R. Thomas Wagner. Motion carried by a unanimous vote.

ACTION ITEM

Auditor R. Thomas Wagner – Discussion

The Honorable Thomas Wagner appeared before the Commission for the purpose of discussion regarding statutory auditing requirements of the Delaware fire service. The Fire Prevention Commission has been tasked with oversight of the submission and review of information. The Fire Prevention Commission has authority to levy a penalty if a fire company is late in submission of an annual audit as well as having the ability to maintain and update regulations pertaining to statutory requirements. The Commission will continue to participate with the active HCR95 Task Force that will ultimately be the remedy to a lot of today's questions.

Sharon Cirillo addressed the Commission as a public guest on behalf of SC Associates, P.A. Mrs. Cirillo has worked closely with Commissioner Dicristofaro prior to today's meeting and came prepared to address the commissioners with recommendations.

Auditor R. Thomas Wagner – Discussion cont.

Commissioner Dicristofaro asked Mr. Wagner what the difference would be in a CPA Firm and other firms by their names. Mr. Wagner stated that most CPA and PA Firms would have that listed in the name and he would question if they didn't. Commissioner Dicristofaro has concerns that he was told by the Fire Commission Audit Committee as President of Claymont Fire Company that Sharon Cirillo was not eligible to conduct a review for Claymont Fire Company. The Sharon Cirilo question was previously brought to the commission and Auditors Office by a Fire Prevention Commission Audit Committee member. Mr. Wagner stated that this question should be answered by the Board of Accountancy for a determination. His office does not oversee accounting firms, which is what SC Associates is.

Commissioner Dicristofaro has concerns that the fire service is being broad brushed by what a small percentage have done and this is effecting fund drives for individual fire companies.

Vice Chairman Robinson stated that he does not feel the Fire Prevention Commission is the agency to be tasked with reviewing audits. He commented that they were thrown to the commission with no authority to follow a mandate they were given. The only thing that the commission can do is fine a company \$100 per day for being late up to \$5,000. The Commission cannot do anything to them if they are found doing something illegal. Nothing more can be done outside of turning a habitual offender over to the Auditors Office. He stated there has been discussion of a blue print for all sixty fire companies to follow. He stated that is what's needed because it tends to be the same companies with the same problems. Commissioner Dicristofaro stated that Scott Bundek of Little Creek Fire Company stated before the Commission years ago that it was cheaper to pay the \$5,000 than pay for a review. Chief Bundek stated that he would rather pay the penalty.

Chairman Roberts stated that with the blue print being discussed, there will be additional regulations and safe guards in place to take care of a lot of today's concerns. The HCR95 Task Force will address most if not all of the concerns discussed today.

It was moved by Vice Chairman Robinson, seconded by Commissioner Sharp to revert back to the regular order of business.

REGULAR BUSINESS

REPORT OF BLS MEDICAL DIRECTOR

EMS protocols have been approved by ALS standards committee and the BMLD. ALS protocols will be effective November 1, 2016 and BLS protocol implementation date is January 1, 2017.

BLS albuterol pilot program: One abstract regarding the success of the DE albuterol pilot program will be presented at the ACEP conference in Las Vegas in October and a second abstract was accepted to be presented at the NAEMSP conference in New Orleans in Jan 2017. Thank you to all trainers, agencies, and providers who made this program so successful thus far.

ED trauma designation: NCC Wilmington ED has been granted provisional level 3 trauma center status effective October 5, 2016. CDC guidelines for field triage of injured patients and DE protocols should be followed when determining most appropriate destination for trauma victims. Online medical control should be contacted for appropriate ED preparation. This is the second provisional level 3 trauma center in New Castle County in addition to St. Francis Hospital.

Narcan program-No updates

Follow up items: Per SE Med Equipment, the current cost of 2mg Narcan with atomizer is just under \$41. Cost of albuterol 2.5 mg respules \$5 for box of 25 respules. Neb/tubing ranges \$0.90 to \$1.35 per set for use. **No Update**

Dr. Matthews suggested that the Commissioners consider discussion to make some of the optional items such as (Albuterol, Narcan and Epi Pens) mandatory on BLS units. The company would be responsible for purchasing and training. Training is currently available through the Fire School. The Commission agreed to bring it up for discussion in the future.

Commissioner Marvel asked if OEMS has determined a way to track how often and where EMTs are working for the purpose of fatigue maintenance. Can they check in with DEMERS? Dr. Matthews will look into this further and report at the next meeting.

REPORT OF THE INVESTIGATOR/COMPLIANCE OFFICER

20 Annual Ambulance Unit Inspections
0 New Unit Inspections

Investigator/Compliance cont.

7 Complaints Received
5 Arrest Notifications were received.
0 Self Report

There are 8 open cases for 2016.

33 Students have gone through a Radio Class conducted by Bill Carrow of the Division of Communications and Dave Truax. These classes have been extremely successful. The Commission is grateful that Bill Carrow has set these classes up conducted the instruction.

Mr. Truax reported requested to close Case #1608 due to lack of substantial evidence to be in violation of the regulations or protocols. It was moved by Commissioner Dicristofaro, seconded by Commissioner Sharp to take the Investigators advice and close case #1608. Motion carried by a unanimous vote.

REGULAR BUSINESS

Action Items

Belvedere Fire Company – Audit Extension Request

Belvedere Fire Company has requested an additional 30 day audit extension. The request is due to problems encountered with the computer systems at the accounting firm. It was moved by Vice Chairman Robinson, seconded by Commissioner Zeroles to grant the extension for Belvedere. The motion was defeated by a tie vote.

After further discussion it was moved by Commissioner Dicristofaro, seconded by Chairman Roberts to grant the extension request to Belvedere Fire Company for 30 days. Motion carried by a roll call vote.

Commissioner Dicristofaro - Yes
Commissioner Zeroles - Yes
Commissioner Sharp - No

Commissioner Marvel - Yes
Vice Chairman Robinson - Recuse
Chairman Roberts - Yes

Special Exception Hearing Request – Background Check

It was moved by Commissioner Dicristofaro, seconded by Commissioner Sharp to set up a special exception hearing for November 15, 2016 as requested by the EMT for an appeal hearing. The EMT needs to demonstrate extraordinary circumstances exist such as he can be granted licensure, because he has a disqualifying event. Motion carried by a unanimous vote.

Scratch Report Review

Commissioner Dicristofaro updated commissioners with the third quarter scratch report. Marydel, Dagsboro and Frankford exceeded the scratch rate as adopted by the Commission. Commissioner Marvel has concern that the report is not showing the actual concerns statewide with regard to an ambulance making it out in a timely manner. Commissioner Dicristofaro stated that if it were not for units going into bypass in New Castle County the numbers would look different for them. It is being addressed in New Castle County. Commissioner Dicristofaro is of the opinion that it's being looked at as if the ambulance service is broken, and it is not the ambulance service, but the fire service because ambulances are being put in bypass to get fire apparatus out. There is a serious situation on the fire side of the service. The only way of the future is to put paid staff on the fire side. Chairman Roberts stated that Commissioner Dicristofaro has done a great job in getting the five call centers together and having a quarterly report prepared for review.

Consideration of Request for Temporary Emergency Suspension – Garland D. Church

Investigator Truax brought before the Commission a request for a temporary emergency suspension of Garland D. Church for a recent felony charge. It was moved by Commissioner Dicristofaro, seconded by Commissioner Marvel to grant a temporary suspension for no more than 180 days for Garland D. Church to give time for a formal hearing. Motion carried by a unanimous vote.

Chairman/Vice Chairman Election

It was moved by Vice Chairman Robinson, seconded by Commissioner Dicristofaro to nominate David Roberts as Chairman of the State Fire Prevention Commission. Motion carried by a unanimous vote. Chairman Roberts will remain as Chairman of the Fire Prevention Commission.

It was moved by Commissioner Dicristofaro, seconded by Commissioner Marvel to nominate Alan Robinson as Vice Chairman of the State Fire Prevention Commission. Motion carried by a unanimous vote. Vice Chairman Robinson will remain as Vice Chairman.

NEW BUSINESS

SC Associates Comments

Sharon Cirillo provided a document of recommendations for the “Volunteer Fire Departments Financial Management Review Task Force”. She gave advice as to how she feels the Fire Prevention Commission, Fire Companies, Auditors Office and Task Force should move forward. She encouraged the Fire Prevention Commission to fine fire companies when they say it is the accountants fault because they will go after the accountants for the money. If the accounting firm is basically covering for the fire company, then the fire company will pay. She stated that the legislators work for “you” and they need to do what you ask of them. They should support legislation requested without making changes to that legislation. Commissioner Robinson agreed with her comments.

GENERAL INFORMATION

No report at this time.

CORRESPONDENCE

Bethany Beach Correspondence

Correspondence was received from Bethany Beach on October 14, 2016 regarding a request for direction and assistance with a serious problem in providing adequate staffing for the fire alarm responses. It is a general call for aid. DAG Davis stated the language of the letter is confusing as it refers to statute incorrectly. It was moved by Vice Chairman Robinson, seconded by Commissioner Dicristofaro to draft a letter in response to Bethany Beach Fire Company. Motion carried by a unanimous vote.

It was agreed that the DVFA will create a committee to meet with Bethany Beach to assist in discussions.

It was moved by Commissioner Dicristofaro, seconded by Commissioner Sharp to enter into Executive Session at 11:21 AM for the purpose of discussing ongoing litigation. Motion carried by a unanimous vote.

EXECUTIVE SESSION

It was moved by Commissioner Marvel, seconded by Commissioner Dicristofaro to exit executive session at 11:33 AM. Motion carried by a unanimous vote.

REGULAR SESSION

MISCELLANEOUS INFORMATION

State EMS Association

President Matt Gajdos of the State EMS Association addressed the Commission with regard to comments earlier made by Dr. Matthews, BLS Medical Director. President Gajdos wanted to share comments that he has received statewide with the thought of possibly changing some of the BLS unit equipment options to mandatory. There has been an increase in the cost of Epi Pens and Narcan. He would appreciate any support the Commission can offer in possibly determining assistance for fire companies with these costs. There is currently no way for a fire company to bill for these items and they bare that responsibility which is why it was kept as optional equipment. If there is a way to obtain support from the insurance companies, the SEMSA will support a request of that nature. Chairman Roberts asked President Gajdos to provide him with a list of companies that are participating in the optional items.

President Gajdos was thanked for his time and efforts.

REPORT OF THE COMMISSIONERS

Chairman David J. Roberts

Chairman Roberts reported that he attended the Monthly Fire Prevention Commission Meeting, DVFA Conference.

Vice Chairman Alan Robinson

Vice Chairman Robinson reported that he attended the Monthly Fire Prevention Commission Meeting, Low Interest Loan Committee Meeting and Citizens Hose Fire Company Board Meeting.

Commissioner Ron Marvel

Commissioner Marvel reported that he attended the Monthly Fire Prevention Commission Meeting, Sussex County Fire Chiefs Meeting, Seaford VFC Meeting, Sussex Call Board Meeting, Sussex Fireman's County Meeting, Fire Prevention in Blades, Delmarva Life on Fire Extinguishers, Fire Prevention in Seaford, HR95 Task Force Meeting and New Castle County Fireman's Meeting.

Commissioner Joseph M. Zeroles

Commissioner Zeroles reported that he attended the Monthly Fire Prevention Commission Meeting, Kent County Volunteer Firefighters Association Meeting, Sussex County Firefighters Association Meeting, Memorial Service for Wilmington Firefighters and New Castle County Firefighters Association Meeting.

DATE OF NEXT MEETING

November 15, 2016 – 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

ADJOURNMENT

It was moved by Commissioner Dicristofaro, and seconded by Commissioner Zeroles that the meeting be adjourned. Motion carried by a unanimous vote. The meeting was adjourned at 11:33 a.m.

Respectfully submitted,

Sherry R. Lambertson

Sherry R. Lambertson
Executive Specialist

sl/